

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Communications, Energy, and Public Utilities Committee

BILL: CS/SB 2326

INTRODUCER: Communications, Energy and Public Utilities Committee and Senator Ring

SUBJECT: Renewable Energy and Technologies

DATE: March 31, 2009 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	CU	Favorable
2.	_____	_____	EP	_____
3.	_____	_____	TR	_____
4.	_____	_____	GA	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The committee substitute creates the Go Green Florida specialty license plate, establishing an annual fee for the plate, and providing for the distribution of the fee for costs and administration, Renewable Energy and Energy Efficient Technology grants programs, Solar Energy System Incentives program, and other educational programs dedicated to providing effective alternative energy practices.

This bill amends the following sections of the Florida Statutes: 320.08056 and 320.08058.

II. Present Situation:

Currently, specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay an annual use fee for the privilege. Annual use fees ranging from \$15 to \$25, paid in addition to required license taxes and service fees, are distributed to an organization or organizations in support of a particular cause or charity signified in the plate's design and designated in statute. The Legislature may create a specialty license plate under its own initiative, or it can do so at the request of an organization.

Under s. 320.08053, F.S., an organization may seek legislative authorization for a new specialty licensed plate by meeting a number of requirements. An organization is first required to submit to the Department of Highway Safety and Motor Vehicles (DHSMV) the following:

- A request for the plate describing it in general terms.
- The results of a professional, independent, and scientific sample survey of Florida residents indicating that 30,000 vehicle owners intend to purchase the plate at the increased cost.
- An application fee of \$60,000 defraying the DHSMV's cost for reviewing the application, developing the new plate, and providing for the manufacture and distribution of the first run of plates.
- A marketing strategy for the plate and a financial analysis of anticipated revenues and planned expenditures.

These requirements must be satisfied at least 90 days prior to the convening of the next regular session of the Legislature. Once the requirements are met, DHSMV notifies the committees of the House of Representatives and Senate with jurisdiction over the issue, and the organization is free to find sponsors and pursue legislative action.

In 2008 the Legislature passed SB 1992, which included a moratorium on the issuance of specialty plates.¹ The moratorium is effective from October 1, 2008 to July 1, 2011, but contains an exception "for [any] specialty license plate proposal which has submitted a letter of intent to the Department of Highway Safety and Motor Vehicles prior to May 2, 2008."

III. Effect of Proposed Changes:

Section 1 amends s. 320.08056, F.S., on specialty license plates, to create a license plate annual use fee of \$25 for the Go Green Florida license plate.

Section 2 amends s. 320.08058, F.S., to require the Department of Highway Safety and Motor Vehicles to develop a Go Green Florida license plate. The words "Florida" must appear at the top of the plate, "Go Green Florida" must appear on the bottom, and the Go Green emblem or logo must appear on the plate. Before the specialty license plate can be issued, all the requirements of s. 320.08053, F.S., must be met.

The proceeds from the sale of the Go Green Florida plate are to be distributed to the Coalition for Renewable Energy Solutions, Inc., a not-for-profit corporation. After reimbursement for documented costs expended to establish the plates and for annual auditing costs, the coalition is to use the proceeds of the annual use fees in the following manner:

- A maximum of five percent of the proceeds must be used by the coalition for administrative costs directly associated with the operations as they relate to the management and distribution of the proceeds.
- A maximum of 25 percent must be used for continuing statewide promotion and marketing of the plate.

¹ s. 45, 2008-176, Laws of Florida.

- The remainder of the proceeds must be used to fund the Renewable Energy and Energy Efficient Technology Grants program under s. 377.804, F.S., and the Solar Energy System Incentives program under s. 377.806, F.S., administered by the Florida Energy and Climate Commission, or other educational programs dedicated to providing effective alternative energy practices.

The coalition must comply with the financial audit requirements of s. 320.08062, F.S.

The Go Green Florida emblem or logo may be used as a decal by the department for specified uses but may not be substituted for a license plate.

Section 3 provides that the bill takes effect October 1, 2009.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Proponents of projects awarded by the Florida Energy and Climate Commission may receive energy efficient, renewable technology, and solar energy systems grants. People may benefit from educational programs dedicated to providing effective alternative energy practices. Those who support these goals may purchase a Go Green Florida plate specialty plate to help fund these programs.

C. Government Sector Impact:

The Florida Energy and Climate Commission will receive funding, including expenses, from the specialty plate fee revenue.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Communications, Energy and Public Utilities on March 31, 2009:

The committee substitute removes the provision creating the Go Green Florida Program within the Florida Energy and Climate Commission. The Department of Highway Safety and Motor Vehicles is to develop a Go Green Florida license plate. A minimum of 60 percent of the funding must be used to fund the Renewable Energy and Energy Efficient Technology Grants program under s. 377.804, F.S., the Solar Energy System Incentives program under s. 377.806, F.S., or other educational programs dedicated to providing effective alternative energy practices.

- B. **Amendments:**

None.